

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/GB2004/001298

International filing date (day/month/year)
25.03.2004

Priority date (day/month/year)
31.03.2003

International Patent Classification (IPC) or both national classification and IPC
F16C11/06, F16C27/06

Applicant
MINEBEA CO. LTD.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITYInternational application No.
PCT/GB2004/001298

10/549658

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
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Box No. II Priority

1. ☒ The following document has not been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, Inventive step or Industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	2,3
	No: Claims	1,4,5,6,7,8
Inventive step (IS)	Yes: Claims	
	No: Claims	1-8
Industrial applicability (IA)	Yes: Claims	1-8
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

- 1 The following documents are referred to in this communication:

D1 : US 5 364 191 A (GRUBER WALTER) 15 November 1994 (1994-11-15)

D2 : US 5 033 722 A (LAMMERS BRYAN G) 23 July 1991 (1991-07-23)

D3 : US 3 125 364 A (R.W.SPRINGER) 17 March 1964 (1964-03-17)

D4 : GB 1 360 515 A (SAITAMAKIKI CO LTD) 17 July 1974 (1974-07-17)

- 2 INDEPENDENT CLAIMS 1, 8

- 2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.
Document D1 discloses (the references in parenthesis applying to this document):

a bearing arrangement (fig.1) comprising a spherical bearing having a bearing housing and a ball (2) located therein, the bearing housing having a rigid outer race (1.2) and a rigid inner race (4) and an annular elastomeric portion (3) sandwiched between the races (1.2, 4), wherein the outer race (1.2) of the bearing housing is securely held in a interference fit hole (1.1 - column 3, lines 49-51: "pressed axially onto case part").

Document D2-D4 also disclose the subject-matter of present claim 1.

- 2.2 Claim 8 is not allowed, since it contains no technical features. Moreover, reference made to the figures are not allowed in the claims (Rule 6.2(a) PCT).

- 3 DEPENDENT CLAIMS 4-7

Dependent claims 4-7 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).

- 3.1 The invention of claims 2 and 3 consists merely in a new use (high torque bearing) of the bearing arrangement which is already known from document D1. This use, however, does not involve more than employment of properties of the bearing arrangement which are also already known from document D1. Hence, no inventive step appear to be present in the subject-matter of claims 2 and 3.

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AUTHORITY (SEPARATE SHEET)**

International application No.

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- 3.2 Document D1 also discloses the subject-matter of dependent claim 4 (column 3, lines 32 and 54) and dependent claims 5 and 6 (column 3, lines 24-26). Hence, this subject-matter is not new.
- 3.3 Document D3, which discloses the subject-matter of claim 1, also discloses the subject-matter of claim 7, see fig. 2. Hence, this subject-matter is not new.